

**Introduced by Senators Mitchell, Beall, DeSaulnier, Jackson, and
Liu**

(Coauthor: Senator Lara)

June 30, 2014

Senate Resolution No. 54—Relative to the Maximum Family Grant rule.

1 WHEREAS, Twenty years ago this week, Assembly Bill 473
2 (hereafter AB 473) was passed off of the floor of the Assembly
3 and the Senate, and enacted into law pursuant to Chapter 196 of
4 the Statutes of 1994, establishing a state law that denies basic needs
5 assistance to children born into a poor family receiving Aid to
6 Families with Dependent Children (AFDC); and

7 WHEREAS, This child exclusion policy established by AB 473
8 remains in law today and is referred to as the Maximum Family
9 Grant (MFG) rule; and

10 WHEREAS, The MFG rule denies help to poor infants and
11 children unless his or her parents disclose private medical
12 information to prove that their child was an accident, conceived
13 as a result of failed, state sanctioned, contraception, as defined in
14 the law, or a result of a rape, but only for a rape that was reported
15 to police no later than 3 months after the birth of the child; and

16 WHEREAS, The MFG rule and similar child exclusion rules
17 across the country were based on a racist stereotype about poor
18 women who received public help, their worthiness as individuals,
19 their fitness as mothers, and their motivations to become pregnant
20 or to carry a child to term; and

21 WHEREAS, Assembly Bill 473 was leveraged in budget
22 negotiations only after a ballot proposition that would have enacted
23 this policy failed by a margin of 10 percentage points; and

1 WHEREAS, The contents of AB 473 were deleted and amended
2 on the floor of the Assembly and had no public hearing; and

3 WHEREAS, Over 30 Assembly Members and Senators voted
4 against this bill; and

5 WHEREAS, The author's floor statement suggested that
6 concerns raised by the opposition were addressed by protections
7 in AB 473, including that it would not be operative unless federal
8 waivers were received; and

9 WHEREAS, Assembly Bill 473 provided that the
10 implementation date was to be the date that the Director of Social
11 Services certified that the administrative procedures required for
12 the federal waiver were complete; and

13 WHEREAS, Advocates at the Western Center on Law and
14 Poverty report that, through a public records act request, they have
15 learned that a final waiver was never received and the certificate
16 was never issued by the Director of Social Services; and

17 WHEREAS, Twenty years ago, the Aid to Families with
18 Dependent Children Program had no lifetime limit of aid, but the
19 California Work Opportunity and Responsibility to Kids
20 (CalWORKs) program, which replaced it now entitles adults to
21 only 24 months of lifetime assistance; and

22 WHEREAS, Twenty years ago, the program had a benefit equal
23 to 80% of the federal poverty line, now the maximum grant puts
24 a family at 40% of the federal poverty line; and

25 WHEREAS, Twenty years ago, the MFG rule was opposed by
26 advocates for the poor, religious communities, and women's rights
27 advocates; and

28 WHEREAS, Today, the repeal of the MFG rule is supported by
29 a diverse coalition of over 80 organizations, including the
30 California Catholic Conference, the Coalition for Women and
31 Children, Planned Parenthood, the American Civil Liberties Union,
32 California Partnership, and the Western Center on Law and
33 Poverty; and

34 WHEREAS, Today California has the highest rate of child
35 poverty in the nation, with more children in poverty than any other
36 state, and is one of only three states that had a growth in poverty
37 rates between 2011 and 2012; and

38 WHEREAS, Twenty years of scientific research on this failed
39 social experiment has shown that there is no connection between

1 child exclusion policies and the birth rate, as supporters of the bill
2 had purported; and

3 WHEREAS, Policies like the MFG rule violate the basic
4 principles of international human and reproductive rights; and

5 WHEREAS, Child exclusion laws are known to increase
6 childhood poverty by an estimated 7.4 percent and deep poverty
7 by an estimated 13.1 percent; and

8 WHEREAS, An increase in grant assistance of just a \$1,000
9 annually is estimated to improve a child's educational achievement
10 by 5 to 6 percent; and

11 WHEREAS, Dozens of CalWORKs parents have testified in
12 several hearings during this 2-year legislative session about the
13 very real, traumatic, and humiliating experiences their families
14 have suffered at the hands of the MFG rule; and

15 WHEREAS, The chronic stress experienced by children whose
16 basic needs go unmet will have life-long impacts that deny them
17 opportunities that all children in America should enjoy; now,
18 therefore, be it

19 *Resolved by the Senate of the State of California*, That on the
20 20th anniversary of the passage of the bill enacting the Maximum
21 Family Grant (MFG) rule, the Senate proclaims that this law should
22 be repealed as soon as legislatively possible; and be it further

23 *Resolved*, That the Secretary of the Senate transmit copies of
24 this resolution to the author for appropriate distribution.